SPEECH

OF

MR. VAN DYKE,

On the amendment offered to a bill for the admission of Missouri into the Union, prescribing the restriction of slavery as an irrevocable principle of the *State Constitution*.

DELIVERED IN THE SENATE OF THE UNITED STATES, JANUARY 28, 1820.

Mr. President: Conscious that I cannot add to the force of arguments which have been already urged against the proposed amendment, with unrivalled powers of eloquence, nothing but a sense of duty, growing out of the peculiar situation in which I stand in relation to this question, could induce me to trespass on the patience of the Senate. This subject, sir, has produced much excitement in different sections of the Union; that excitement has pervaded the state which I have the honor in part to represent; there, too, public meetings have been called; opinions in favor of the proposed restriction have been expressed, and are published under the sanction of names deservedly esteemed for talents and integrity. The Legislature of that state also, in their wisdom, have resolved that the proposed restriction is compatible with the constitution, and ought to be adopted as a measure of sound policy. That resolution is now upon your table. The opinion of that honorable Legislature justly merits, and will ever command my sincere respect. To their confidence in me I am indebted for a place in this dignified assembly: to deserve and retain the good opinion of that honorable body will ever be my highest ambition. But, sir, as it is my misfortune to differ from them in sentiment on the great constitutional question, I am not satisfied to give a silent vote.

The honorable gentleman from Pennsylvania who moved the amendment, remarked that it was a question of great importance between the people of the United States and those of Missouri. It is, sir, a question of importance, because it involves the construction of the

great charter of our liberties. The zeal with which the amendment has been urged and opposed evinces that it excites more than common interest. A question touching the extent of powers delegated to Congress by the constitution must ever be deeply interesting; for in its decision are implicated the rights reserved to the people, and the sovereignty of the states. It was not, however, anticipated that the Declaration of Independence would be resorted to as furnishing a key to the construction of the constitution of 1787, or that arguments would be drawn from that source to give color to a claim of power under the latter instrument. Much less was it expected that the recital of abstract theoretic principles, in a national manifesto in '76, would be gravely urged at this day to prove that involuntary servitude does not lawfully exist within the United States. To these principles the honorable gentleman has referred, with an air of triumphant confidence, reminding us that the whole People then united in proclaiming to the world, "that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness." Sir, these principles are correct, and intelligible in the political sense in which they were used by the statesmen who signed that manifesto. They are the received doctrines of the schools, in relation to man as he is supposed to exist in the fancied state of nature. But that individuals, entering into society, must give up a share of liberty to preserve the rest, is a truth that requires no demonstration. Those principles formed correct premises from which to draw the conclusion, "That to secure these right, governments are instituted among men, deriving their just powers from the consent of the governed; that the people have a right to alter or to abolish one form of government and to institute new government." They also formed correct premises from which (under existing oppression) was drawn the inference, "that these United Colonies are, and of right ought to be, free and independent states." But, Mr. President, the distinguished statesmen who pledged to each other "their lives, their fortunes, and their sacred honor," in support of that declaration, were not visionary theorists; they were men of sound, practical, common sense, and, from the premises assumed, arrived at sound practical conclusions. When we call to mind the state of this young country at that awful moment, struggling for the right of self-government, engaged in war with the most powerful nation of Europe, pressed on all sides with accumulating difficulties and dangers, can it be credited

that the Declaration of Independence was designed to dissolve the bonds of social order throughout the states —to reduce all men to a state of nature, and to set at large a host of slaves, the readiest instruments to be employed by the enemy in the work of destruction, in the very bosom of the nation? Think you, sir, that it was meant to invoke the genius of universal emancipation, and to proclaim liberty and equality to every human being who breathed the air, and trod the soil of this new republic? The faith of that man who can believe this is much stronger than mine. No, sir, that manifesto was not intended, was not understood to abolish or to alter any law then existing in any state for the security of property, or for the regulation of their internal concerns. Self-preservation, a regard for their own personal safety and that of their families, and a regard for the best interests of the nation, forbade those sages to do such an act. But, sir, were slaves liberated in any state of the Union by virtue of the Declaration of Independence? Never. On the contrary, wherever emancipation has been effected, it has been by the authority of state laws; and every state has assumed, and invariably exercised, at its discretion, the right of legislating about this class of persons, down to the present day. Pennsylvania, so justly applauded for her benevolence towards these persons, did not admit that they obtained freedom under the Declaration of Independence, for she undertook to loose their chains gradually, by her own legislative authority, in 1780; and, even at this moment, some are held in involuntary servitude in that state. In truth, sir, we cannot advance a step in the history of the Revolution without meeting evidence that there were in the nation two separate classes—freemen, and those who were not free. Consult the Articles of Confederation, emanating immediately from the act of Independence, and signed by many of the same men who signed that Declaration, and, in article 4, "free inhabitants of each state," and "free citizens," designate the persons who were to enjoy privileges and immunities under that government, plainly indicating that there was another class of persons in the country, who were not free and not entitled to those privileges. Consult the treaty of 1783, which acknowledged the independence of these states, and you will read a stipulation, on the part of the British, for the restoring "of negroes or other property of the American inhabitants."

Another war with the same power has been recently waged, and is happily terminated by the treaty of Ghent, in which you again find a stipulation for the restoration

of "slaves or other property." Sir, the Federal Constitution, whose powers are now under examination, in providing for the delivering up of fugitives from labor, held to service under the laws of a state, recognizes as well the existence of such a class of persons, as that they are held under the laws of the state. Open your statute book, examine the different acts which have been passed at different periods, in which it became necessary to notice this class of persons, and you shall be forced to acknowledge that Congress has enacted laws recognizing them as property; sometimes describing them as fugitives from labor, at others, calling them slaves. Thus, sir, the act of 12th Feb. 1793, provides for executing the constitutional provision relative to fugitives from labor. The statute erecting Louisiana into two territories, in 1804, in the same 10th section which was read by the honorable gentleman from Pennsylvania, speaks in plainer language where it provides, "that no slave or slaves shall directly or indirectly be introduced into said territory, except by a citizen of the United States, removing into said territory for actual settlement, and being at the time of such removal, bona fide owner of such slave or slaves." This section, sir, establishes two facts: First, that a citizen of the United States may be bona fide owner of slaves. Second, that such citizen had the right of removing with his slaves from any state, into the newly acquired territory of Louisiana.

By the act of 2d March, 1807, to prohibit the slave trade after the first of January following, the 9th section regulates the carrying of slaves coastwise, from one port to another in the United States, and prescribes the form of an oath to be taken by the captain of the vessel and the owner or shipper of the slave; a part of which oath is, "that under the laws of the state they are held to service or labor." From this cursory review, Mr. President, I am justified in assuming that the articles of confederation, public treaties, the Federal Constitution, repeated declarations of Congress in statutes, passed under that Constitution, connected with the history of the country, and the uniform course of state legislation—establish incontrovertibly that involuntary servitude has existed and yet exists in the United States, and has ever been universally acknowledged to be a subject of state jurisdiction. Yes, sir, however painful the reflection, truth compels us to acknowledge that the evil still exists; it has been entailed upon the nation by the avarice of Britain, forcing upon her infant colonies a slave population, against their will, against their humble petitions, against their spirited remonstrances.

[Mr. Roberts rose to explain, and said he should not contend that slavery does not exist in the old United States, but should insist that Congress had a right to prohibit it in the territories, and to impose on Missouri the terms proposed by the amendment.]

Mr. President, the honorable gentleman in opening the Debate, did assume the Declaration of Independence as the broad ground of his argument. From his course of reasoning, I was impressed with the belief that he meant to enforce those principles in their full extent, and his declaration to me personally a few minutes since, that he intended to go the whole length of those principles, confirmed the impression. But, sir, as such intention is now disavowed, I forbear to press the argument further.

I proceed, sir, to examine the constitutional question which the amendment presents. Happily, Mr. President, we are not investigating the principles of a Government whose origin is buried in the rubbish of antiquity—whose powers are to be collected from history or tradition—which relies on precedent and usage to give color to the usurpation of power in every emergency: acquiring new vigor from every succeeding precedent; and often from precedents created in times of foreign war and domestic violence. Happily for this nation, its Constitution is a written instrument, framed in a time of peace, with care and deliberation, by the most enlightened men, and penned with all the accuracy and precision that serious thought and calm reflection could ensure. Its history is brief, and known to all: the time and manner of its creation, the circumstances attending its adoption are recent and familiar. Many of the enlightened statesmen whose talents and labors were devoted to this great work, yet live to share the honors which their grateful country bestows, as a reward due to their distinguished merit.

We must remember, then, Mr. President, that it is a written compact, thus created, thus adopted, whose powers we examine. To insure a correct result, it is proper to bring into view certain rules of reason and common sense, applicable to the construction of all written instruments. That we must look to the intention of the parties, as the polar star, is the great leading rule of construction. This rule applies with equal force to the contracts of individuals in private life—to compacts between sovereign, independent states, as public treaties, and to a compact between the people and government, in the form of a constitution. To ascertain the intention of the parties, and to execute the compact in good faith, is the duty of an honest statesman. The intention, sir, is

most naturally and safely collected from the language and expressions used in relation to the subject matter. If the expressions be so indefinite or inartificial as to leave the intention doubtful, a comparison may be made of different parts of the instrument for elucidation, and from that comparison an intention may be inferred not incompatible with what is plainly and certainly expressed. Should doubts still remain, the mind recurs to the situation of the parties at the time of the compact, and judges, from the known condition of the parties, how far the proposed construction may comport with reason and good sense. These are means used, under different circumstances, to arrive at truth. In examining a claim of power under this constitution, when we recur to the specific enumeration of powers, attend to the prohibitions there written, and read that jealous declaration of the tenth amendment, that all power not granted is reserved, the conclusion is irresistible, that the U. States' government is one of limited powers; that, although supreme and sovereign as to all matters within its legitimate sphere of action, yet it cannot claim a general, unlimited sovereignty. The people have created state governments also, and have delegated to them other portions of power within the state limits, for the regulation and management of their internal, domestic concerns. A British statesman may boast of the omnipotence of a British Parliament; but an American statesman will never claim the attribute of omnipotence for an American Congress. Need I adduce any authority to establish this position? I refer to the opinion of the highest judicial tribunal in this nation. "This government (say the Supreme Court, in the celebrated U. S. Bank cause,) is acknowledged by all to be one of enumerated powers. The principle that it can exercise only the powers granted to it, would seem too apparent to have required to be enforced by all those arguments which its enlightened friends, while it was depending before the people, found it necessary to urge That principle is universally admitted." And, again: "We admit, as all must admit, that the powers of the government are limited, and that its limits are not to be transcended." With this agree the opinions of distinguished statesmen, addressed to the people, while the constitution was under consideration. Mr Madison, in No. 45 of the Federalist, says, "The powers delegated by the proposed constitution to the federal government, are few and defined; those which are to remain to the state governments, are numerous and indefinite."

To the advocates of power, in any instance, the people may with propriety say, shew the grant of the power in

the constitution. It is incumbent on you to shew either that it is granted as a substantive, independent power, or that it is incidental to such a power, by being necessary and proper to be used as a mean to carry such power into execution. If you cannot shew this, your claim is bad, your pretension must fail. In the present instance you search in vain among the enumerated powers of Congress: examine the whole catalogue, with the most scrutinizing eye, it is not found there: proceed to the section which enumerates all that is prohibited to the states, nothing there written can furnish a plausible ground to infer that such a power was intended to be delegated to Congress. It is not then a substantive, independent power, specified and defined in the general enumeration of powers; nor can it, in my view, be raised by necessary implication. Can it with any color of right be asserted, as a power necessary and proper for carrying into effect any of the specified powers? Here, sir, the advocates of the amendment are equally embarrassed. With which of the specified powers is it connected; which of them calls upon it for aid, or which of them can receive any aid from it? Is it necessary to aid in laying and collecting taxes, borrowing money, or regulating commerce? Sir, you shall name, in succession, every power enumerated in this instrument, examine and consider them in all their various bearings and relations to the interests and concerns of this nation, and reason and candor shall compel you to acknowledge that the power now claimed to impose this restriction, has not the remotest connection with any of them.

But, Mr. President, it is contended that, though not expressly granted, yet the power may be fairly inferred, It is somewhat unfortunate, however, that the friends of this amendment cannot agree among themselves as to the article and section of the constitution from which it may be inferred. One honorable gentleman points to the 9th section of the 1st article: "The migration or importation of such persons as any of the states now existing shall think proper to admit shall not be prohibited by Congress prior to the year 1808." He contends that the persons here referred to are slaves, and that, as the prohibition was limited to a period of time now past, Congress may now interdict the migration of citizens, with their slaves, from one state to another, or from the old states to the new state of Missouri. The attempt to infer so important a power from this prohibitory clause, is novel, unprecedented, and dangerous; and, in my humble opinion, is contrary to the genius of the constitution, containing an enumeration of the delegated powers, which was penned

with care and precision, and cannot reasonably be presumed to leave such a power to be extracted from a prohibition. Such inference is, therefore, denied. Further, sir, it is not granted that "migration" was intended to apply to "slaves," though "importation" does; having a reference to the general power of regulating commerce, by virtue of which Congress might have imposed a prohibitory duty on the importation of slaves, at their discretion. This right was, therefore, restrained, for a certain time, at the instance of the southern states. But the permitted duty is confined to the "importation," leaving the "migration" free. Migration also, as was justly remarked by an honorable gentleman from Georgia, implies free agency, and the exercise of will, in the persons migrating, which cannot correctly be predicated of a slave. But, sir, even if the word "migration" be construed to apply to slaves, as well as the word "importation" in that clause, yet I deny that it was intended to refer to the several states, or to give Congress the power at will to prevent the removal of a citizen, with his family and property, (and slaves may come under both descriptions,) from one state to another. The term migration, associated with importation, must be taken to refer to a foreign country or territory, as the "terminus a quo:" the migration begins, and therefore applies only to foreigners, not to inhabitants of the United States. In this sense it is used in the Declaration of Independence, which furnishes a standard construction in a prior state paper, to which we may safely refer, and most probably the term was transplanted from that instrument into this constitution. In the recital there of grievances which the colonies had suffered at the hands of the King, we read: "He has endeavored to prevent the population of these states; for that purpose obstructing the laws for the naturalization of *foreigners*—refusing to pass others to encourage their migration hither;" evidently meaning the migration of foreigners from a foreign country to the states, and as evidently excluding slaves, who were not persons to whom naturalization laws applied.

Surely, sir, a power to prohibit freemen from removeing from one state to another, with their families and property, ought not to depend on abstruse reasoning, or uncertain inference, or be raised by implication in a written constitution. What is it, but a power to create a state prison of a slave-holding state; to incarcerate the citizens of the southern states with their black population, or reduce them to the ruinous alternative of abandoning their lands, as the only means of escaping from a state of confinement the most odious that can be imagined? Think

you, sir, that such was the intention of those who signed that instrument and recommended it to their fellow citizens? Think you, sir, that the people of the southern states, in adopting the constitution, meant to delegate such a power to Congress? It would be a waste of time to reason upon the question. Sir, it is incredible that such could be the intention of the parties to that compact; and strangely will it be distorted and perverted, if the term "migration," in this prohibitory clause, can be made the basis on which to raise this colossal power. Should such a construction prevail, lamentably short, indeed, I fear will be the duration of this boasted palladium of American liberty.

Other honorable gentlemen imagine they can find a warrant for imposing this restriction in the third section of the fourth article: "Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property of the United States." In answering this pretension, it is not necessary to deny to Congress all the power there expressed over the territory of the United States; and if Congress were now engaged in making rules and regulations respecting such territory, this clause would support the claim of power. But, sir, so far from legislating, to dispose of, or make regulations respecting, territory, the bill on your table provides for relinquishing the territorial government; raises the people of Missouri to the dignity of self government; empowers them to form a constitution; to assume the character of an independent state, and, as such, to take equal rank with the other states of this Union. Such a bill is directly opposed to the last recited clause, and therefore that clause can give no color to the exercise of a power, designed to operate not on the territory, but on the state, at and from the moment of its birth.

It has been further insisted, Mr. President, that the provision, that "new states may be admitted by the Congress into this Union," vests Congress with a discretionary power to admit or refuse, and, therefore, that Congress may prescribe terms and conditions of admission. Sir, the premises may be true, the conclusion may be false. It is not denied that the word "may," in its ordinary sense, imports a discretion to act or not; but in this clause it can give no power beyond the exercise of the will to admit or refuse admission; and cannot, by fair, reasonable construction, confer a power to impose terms which impair the sovereignty of the state to be admitted. In the exercise of a power derived from a political compact, or created by law, in the use of which others be-

sides the actor have an interest, it is the rule of reason and sense, that, to be exercised fairly, it must be exercised not capriciously, but with sound discretion; always regarding the just rights of those who are interested. The people of Missouri having an immediate interest in the exercise of this power, claim admission under the guarrentee of a solemn treaty of cession, which provides that "the inhabitants of the ceded territory shall be incorparated in the Union of the United States;" and admitted, as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States. Under this treaty, part of the ceded territory has been admitted as a state, without such restriction as is now attempted to be imposed on Missouri; and, so far, the treaty has been expounded and executed in good faith. This treaty, solemnly ratified, appeals to the honor and justice of the nation for faithful execution, as soon as possible. The United States stand in the character of a trustee for the people of the ceded territory, and, whenever they attain a capacity to accept a surrender of the trust, the surrender should be promptly made, and the estate delivered up, unimpaired and unfettered by conditions and restrictions not contemplated in the deed by which the trust was created. If, then, sir, Missouri has attained the competent degree of population and strength to entitle her to self government, according to the principles of the federal constitution, as the bill on your table admits, Congress is bound to admit her into the Union without delay, as freely as other parts of the ceded territory has been admitted, without imposing a restriction that impairs her state sovereignty; since neither the constitution nor the treaty grants power to impose that restriction.

This power then, so strenuously contended for, is not found among the specified or enumerated powers delegated to Congress; it is not a power which can be claimed as necessary and proper to carry into execution any specified power, and, in my opinion, cannot reasonably be raised by implication from the different parts of the Constitution on which its advocates rely.

But, Mr. President, instead of being surprised that such a power is not found in the charter, it would be cause of inexpressible surprise if it were found there; for I am convinced the people never designed to grant it.—This charter was designed to govern and regulate the great political national concerns of the Union, not to interfere with the internal regulations, the private or domestic concerns of the states. Such is the opinion of the

distinguished statesmen, to whom I before referred. Mr. Madison, in the same number of the Federalist before cited, after informing the people that the powers delegated to the federal government are few and defined—those that remain to the states numerous and indefinite, adds, "the former will be exercised principally on external objects, as war, peace, negociation, and foreign commerce, with which last, the powers of taxation will for the most part be connected. The power reserved to the several states will extend to all the objects, which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the state;" and, in the succeeding number, speaking of the state governments, he adds, "By the superintending care of these, all the more domestic and personal interests of the people will be regulated and provided for." The same distinction is repeated by Mr. Hamilton, in No. 84. "But a minute detail of particular rights is certainly far less applicable to a Constitution like that under consideration, which is merely intended to regulate the general political interests of the nation, than to a Constitution which has the regulation of every species of personal and private concerns."

Sir, it must be admitted by every statesman, that this Constitution never was designed to have jurisdiction over the domestic concerns of the people, in the several states. No, sir, these are wisely left exclusively to the state sovereignites, as their natural guardians. The proposed amendment, if adopted, will regulate, by an irrevocable provision in a statute, one of the domestic relations of the people of the state of Missouri. Can this be denied? Need I name to this Senate what are appropriately termed the domestic relations of civil life? They are those of husband and wife—to which happily succeeds that of parent and child, too often followed by that of guardian and ward—with all which is connected that of master and servant; either by voluntary or involuntary servitude. These, sir, with peculiar propriety and truth, are denominated "the domestic relations." They exist in the bosom of the family—in the humble walks of private life, and have no connection with the general political interests of the Union. If Congress can regulate one, why not all of these domestic relations? They all stand on the same level, and if one be within the grasp of your power, what shall exempt or protect the rest? Even the contract of marriage and the period of release from guardianship may become the subject of discussion in some future Congress, on the admission of some future state. If such a power exist, who shall stay its hand, or prescribe its limits? Sir, the

proposed restriction, is a direct invasion of the sovereignty of the state—it will wrest from Missouri that power which belongs to every state in the Union, to regulate its domestic concerns, according to the will of the people. But further, Mr. President, it cannot escape observation, that, to accomplish the proposed object, Congress must invent a new mode of legislation—a legislation in perpetuity. In the common course of legislation, every law is subject to be altered, or repealed, according to the wisdom and discretion of any future legislature. Here you transcend the power of any legislative body known to a republic—you impose by statute a restriction to be and remain irrevocable forever. To such a dilemma the usurpation of power leads. What then, Mr. President, is the true character of this bill, with such an amendment? Not simply a law—but a law to make, in part, a Constitution for the future state of Missouri: nay, more, to make her Constitution in that point unalterable forever, and place it beyond the power of the people. Is not this depriving the people of their acknowledged rights, and the state of part of its legitimate sovereignty? If Congress can thus, by anticipation, make part of a Constitution for a state, and force it upon her as a condition precedent to her admission, why may not Congress make other parts of her Constitution under the form of other conditions—the power is the same, the right is equal. If, sir, the people of Missouri be thus compelled to mould their state Constitution according to the mandate of Congress, must not Missouri enter the Union shorn of some of those beams of sovereignty that encircle her sister states—can she be said to stand upon an equal footing with them? Let truth and candor answer.

But, sir, to this objection it is replied that similar terms were prescribed to the states of Ohio, Indiana, and Illinois. True. Recollect, however, that the condition of those states was, in every respect, different from the condition of Missouri. The ordinance of 1787, passed by Congress, under the articles of confederation, was tendered to the settlers in the North-Western Territory, (whether with or without authority, is immaterial now,) as a compact and agreement. The settlers there knew of this compact—made their arrangements accordingly—society there was formed and moulded on the principles of that ordinance, and was thus gradually prepared to adopt the same principles in the state constitutions; and, under these circumstances, the terms were proposed, without opposition, and met the approbation of the people. The maxim, "volenti non fit injuria," applies, with peculiar force, to such a case. Dif-

ferent, in all respects, is the case of Missouri : part of a territory acquired by treaty from a foreign power—never subject to the ordinance of 1787—involuntary servitude existed there at the time of cession, and still exists—the people object to this restriction—insist upon their rights, under the treaty—and deny your power to impose such a condition. Under circumstances so entirely dissimilar, the North-Western States furnish not even the frail authority of precedent to bind Missouri.

If Congress really possess a power to interdict the migration of slaves, and to confine them within the states where they are now settled, where is the necessity of attempting to effect that object, indirectly and partially, by the proposed restriction ? If that power exist, as is contended, Congress can, at discretion, effect the object, by a general law, equally binding all the states. And, sir, to me, such course would appear more dignified than to force on a new state so humiliating a condition. To my mind, however, it is clear, Mr. President, that Congress does not possess power to impose this restriction upon the people of Missouri, and that to exercise it will be flagrant usurpation. The legitimate business of Congress is to enact laws, not to make constitutions. But, sir, if it be only a doubtful question, wisdom and sound policy and a regard for the peace and harmony of the Union, forbid the attempt to exercise it. This government, deriving all its powers by immediate grants from the people, relies, for its support, nay, for its existence, on the good opinion and confidence of the people. These it will have, as long as it is believed that the powers delegated to Congress are honestly exercised for the general welfare. Influenced by this sentiment, the people will ever be found willing subjects of this constitution, and the government will be strong, powerful, nay, invincible. But, sir, if Congress shall pursue a course that gives just cause to suspect that they are grasping at power beyond the grant; that they are trenching on the powers reserved to the people, or invading the sovereignty of the states; it requires not prophetic vision to predict the result. The same spirit that resisted British tyranny, will resist usurpation from any quarter; to the people it will be indifferent whether oppression comes under an edict from a British Parliament or from an American Congress. And, sir, however strong this government may feel, supported by the confidence of the states and the affections of the people, it is not wise to try its strength under a doubtful power, against a number of respectable states.

I rose, Mr. President, to express my ideas upon the constitutional question alone—the treaty of cession intimately connected with the question, presents also serious

difficulties in the way—but that part of the subject has been already exhausted by honorable gentlemen who preceded me. As to the expediency, I will only add, that no measure which violates the constitution can be expedient; no measure that jeopardizes the internal peace of the Union, and stakes the constitution, upon an act of doubtful power, can be deemed a measure of wisdom or sound policy.

Such, Mr. President, being my sincere convictions, in relation to the great constitutional question, which the amendment presents; my duty is plain though unpleasant. I must vote against that amendment.